

**HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS**

**BILL #:** HB 1051  
County

Northern Palm Beach County Improvement District, Palm Beach

**SPONSOR(S):** Domino

**TIED BILLS:**

**IDEN./SIM. BILLS:**

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<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR</b>
1) <u>Local Government Council</u>	<u>8 Y, 0 N</u>	<u>DiVagno</u>	<u>Hamby</u>
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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**SUMMARY ANALYSIS**

During the 2005 Legislative Session, the Northern Palm Beach County Improvement District (District) made significant changes to their charter in regards to the Board of Supervisors (Board). While making these changes, the District amended a section of their charter, and in doing so, removed a provision which requires a candidate for a position on the Board to provide a written notice of intention to be candidate at least 30 days before the annual meeting of the landowners.

This bill reinserts the requirement of a written notice of intention to be a candidate into the District's charter.

This bill would take effect upon becoming law.

According to the Economic Impact Statement, no fiscal impacts are anticipated for either fiscal year 2006-07 or 2007-08.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

#### B. EFFECT OF PROPOSED CHANGES:

The Northern Palm Beach Improvement District (District) is an independent special tax district of the State of Florida, located in Palm Beach County. The District's charter was codified in chapter 2000-467, L.O.F. At that time, s. 3(4), chapter 2000-467, L.O.F., contained the provisions regarding the Board of Supervisors (Board) and its election, organization, powers, duties, and terms of office. Section 3(4)(D), chapter 2000-467, L.O.F., required a candidate for the position of Supervisor, to file a written notice of intention of candidacy at least 30 days before the annual meeting of the landowners to be eligible to run.

During the 2005 Legislative Session, a number of changes were made to the charter of the District.<sup>1</sup> Changes were made in regards to the Board's election procedures, terms of office, and compensation of supervisors. Many of these changes took place in s. 3(4), chapter 2000-467, L.O.F. Section 3(4)(D), chapter 2000-467, L.O.F., was replaced with new ss. 3(4)(D), (E), and (F), chapter 2005-302, L.O.F. A summary of the current state of the Board is below:

- The Board consists of five seats.
- The terms of the Supervisors on the Board are four years.
- Three out of the five supervisors are chosen via one-acre, one vote process at the annual landowner meeting and the remaining two supervisors are popularly elected.
- Elections are staggered.
- There are residency requirements specific to each seat.

In making these changes, the written notice requirement for candidacy was deleted.

This bill reinserts the written notice requirement for candidacy. The bill requires that for a candidate to be eligible for the office of Supervisor, they must file a written notice of intention to be a candidate in the office of the District at least 30 days before the annual meeting of the landowners held in November of each year.

#### C. SECTION DIRECTORY:

**Section 1:** Creates section (C) in section 6 of section 3 of chapter 2000-467, L.O.F., to provide written notification requirement.

**Section 2:** Provides an effective date of upon becoming law.

### II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? November 9, 2005.

WHERE? *The Palm Beach Post*, West Palm Beach, Palm Beach County, Florida.

<sup>1</sup> Chapter 2005-302, L.O.F.

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

None.